

IN THE CIRCUIT COURT FOR FREDERICK COUNTY, MARYLAND

STATE OF MARYLAND :
v. : **Crim. No. C-10-CR-23-000543**
Ruben Hernandez Lainez :
Defendant :

DEMAND FOR PARTICULARS

The Defendant, Mr. Ruben Hernandez Lainez through his attorney, pursuant to Maryland Rule 4-241 respectfully requests that the State provide a bill of particulars. In support thereof the Defendant states:

1. The Defendant requests that the State disclose the following as to Count One—Rape-Second Degree:
 - a.) State all facts that tend to prove that the Defendant engaged in vaginal intercourse with another by force, threat of force, without the consent of the other, and;
 - b.) State all facts that tend to prove that the Defendant engaged in vaginal intercourse where the alleged victim is:
 - i. a mentally defective individual;
 - ii. a mentally incapacitated individual;
 - iii. a physically helpless individual
 - c.) State all facts that tend to prove that the Defendant knows or should reasonably know that the alleged victim is:
 - i. a mentally defective individual;
 - ii. a mentally incapacitated individual;

- iii. a physically helpless individual.
- d.) State all facts that tend to prove that the alleged victim is under the age of 14 years and that the Defendant is at least 4 years older.

2. The Defendant requests that the State provide the following as to Count

Two—Second Degree Assault

- a.) State whether Count two is a separate crime or a lesser included offense of any other crimes charged;
- b.) State whether the Defendant:
 - i. Intentionally frightened the alleged victim;
 - ii. Attempted to commit battery against the alleged victim;
 - iii. Committed battery against the alleged victim
- c.) Provide a particularized factual basis for which the allegation is based.

Respectfully Submitted,

/s/Rachel Reyes
/s/ Rachel Reyes
Rachel Reyes, Esq.
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CERTIFICATE OF SERVICE

I hereby certify on June 28, 2023, a copy of the foregoing demand for bill of particulars was electronically served through MDEC on the State's Attorney's Office for Frederick County.

/s/Rachel Reyes
Assistant Public Defender